



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/647,766 Confirmation No.: 2747
Applicant: Somers
Filed: August 25, 2003
TC/A.AU.: Unassigned
Examiner: Unassigned
Docket No.: 04676.105082 ATH 109 CON 6
Customer No.: 20786
Title: Compounds and Methods for the Inhibition of the Expression of VCAM-1

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Transmittal of Information Disclosure Statement

Sir:

The citation of information on the attached Form PTO-1449, "List of Art Cited by Applicant" is made pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98. Copies of the following references are enclosed: AM, AN, AO, AP, AR, AV, AW, AY, AZ, AAC, BH, BK, BL, BM, BN, BO, BP, BQ, BR, BU, BZ, CB, CP, DB, DC, DD, DE, DG, DH, DJ, DK, DL, DM, EF, FM, FN, GA, GC, and GD. All other listed references were cited during prosecution of the parent applications U.S.S.N. 09/079,213, now issued as USP 6,147,250, and U.S.S.N. 09/370,046, now issued as USP 6,548,699. The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

Applicant does not believe any fees are due because this paper is submitted before the mailing of a first Office Action on the merits of the application, as under 37 C.F.R. §1.97(b)(3). However, the Commissioner is hereby authorized to charge any fees due or credit any overpayment, to Deposit Account No. 11-0980.

Respectfully submitted,

Madeline I. Johnston
Reg. No. 36,174

Dated August 31, 2004
King & Spalding, LLP
191 Peachtree Street, N.E., Atlanta, GA 30303
Office: (404)572-4600/ Fax: 404-572-5145

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in box addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 31, 2004.

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **1** of **7****Complete if Known**

Application Number	10/647,766
Filing Date	August 25, 2003
First Named Inventor	Somers
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	04676.105082 ATH 109 CON 6

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U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pgs, Clmns, Lns, Where Relevant Passages/Relevant Figs Appear
		Number	Kind Code (if known)			
	AA	3,179,701	A	Rocklin	04-20-1965	
	AB	3,479,407	A	Laufer	11-18-1969	
	AC	3,576,883	A	Neuworth	04-27-1971	
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	AN	5,043,330	A	Nguyen <i>et al.</i>	08-27-1991	
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	AAE	5,750,351	A	Medford	05-12-1998	
	AAF	5,773,209	A	Medford <i>et al.</i>	06-30-1998	

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				Examiner Name	Unassigned
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		Number	Kind Code (if known)			
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	BB	5,783,596	A	Medford <i>et al.</i>	07-21-1998	
	BC	5,792,787	A	Medford <i>et al.</i>	08-11-1998	
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	BL	2002-0188118	A1	Meng	12-12-2002	
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		Office ³	Number	Kind Code ² (if known)				
	BS	DE	27 16 125	A1	Yoshitomo Pharm. Inds. Ltd.	10-27-1977		
	BT	EP	0,190,682		G.D. Searle & Co.	08-13-1986		
	BU	EP	0,254,272	A2	Merrell Dow Pharmaceuticals Inc.	01-27-1988		
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	BZ	EP	0,418,648	A1	Hoechst AG.	03-27-1991		
	BAA	EP	0,621,255	A1	Adir et Co.	10-26-1994		

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		Office ³ Number	Kind Code ² (if known)					
	CA	EP	0,763,527	A1	Adir et Co.	03-19-1997		
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	CE	FR	2,134,810	A5	Robert Aries	12-08-1972		
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	CL	JP	49-075552 [74-75,552]	A	Sagami Chem. Res. Ctr., [Fujisawa], <i>Chem. Abs.</i> , AN 82(13):86196 (March 31, 1975), XP002115592	07-20-1974		
	CM	JP	06-312978 [94-212978]	A	Nippon Tobacco Sangyo <i>et al.</i> [Kobayashi], <i>Chem. Abs.</i> , AN 122(15): 187387 (April 10, 1995) XP002115602	11-08-1994		
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	CO	JP	73-28425			12-19-1995		
	CP	WO	93/02051	A2	Pfizer	02-04-1993		
	CQ	WO	94/07869	A1	Zeneca; British Technology Grp.	04-14-1994		
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	CZ	WO	98/22418	A1	Hoechst Marion Roussel Inc.	05-28-1998		

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FOREIGN PATENT DOCUMENTS									
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		Office ³	Number	Kind Code ² (if known)					
	DA	WO	98/51289	A2	Atherogenics	11-19-1998			
	DB	WO	98/51662	A2	Atherogenics Inc.	11-19-1998			
	DC	WO	99/15159	A2	Nova Molecular Inc.	04-01-1999			
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	DI	WO	00/59509	A1	Novartis (CH); Novartis (AT)	10-12-2000			
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	DK	WO	01/79164	A2,3	Atherogenics	10-25-2001			

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶	
	DL	ANONYMOUS, "AtheroGenics announces positive Phase II results from CART-1 CLINICAL TRIAL for restenosis," (Press Release November 12, 2001).		
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	DN	BARNHART, J.W., <i>et al.</i> , "Chapter 10: The Synthesis, metabolism, and biological activity of probucol and its analogs, <i>Pharmacochem. Libr.</i> , 1991(17):277-299 (1991). XP002095165		
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	DQ	BURKLY, L.C., <i>et al.</i> , "Protection against adoptive transfer of autoimmune diabetes mediated through very late antigen-4 integrin", <i>Diabetes</i> , 43:529-534 (April 1994).		
	DR	CAREW, <i>et al.</i> , "Antiatherogenic effect of probucol unrelated to its hypocholesterolemic effect: Evidence that antioxidants <i>in vivo</i> can selectively inhibit low density lipoprotein degradation in macrophage-rich fatty streaks and slow the progression of atherosclerosis in the Watanabe heritable hyperlipidemic rabbit", <i>Proc. Natl. Acad. Sci. U.S.A.</i> , 84:7725-7729 (November 1987).		

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
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	EA	COMINACINI, L., et al., <i>Free Radical Biology and Medicine</i> , 22(1/2):117-127 (1996) XP002095164.		
	EB	De MEGLIO, P., "New derivatives of clofibrate and probucol. Preliminary studies on hypolipemic activity," <i>Il Farmaco, Ed. Sci.</i> 40(11):833-844 (1985). <i>With partial translation. Chem. Abstracts</i> , 104(5):28675, (February 3, 1986), XP 002124424.	y	
	EC	FELDMAN, D., et al., "The In Vitro and Ex Vivo Antioxidant Properties, and Hypolipidemic Activity of CGP 2881," <i>Atherosclerosis</i> , 144:343-355 (December 28, 1998)		
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	EF	GERSHBEIN et al., "Action of drugs and chemical agents on rat liver regeneration," <i>Drug and Chemical Toxicology</i> , 8(3):125-143 (1985).		
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	EJ	KELAREV, V.I., et al., <i>Khim. Geterotsikl. Soedin.</i> , no. 5, pages 667-673 (1995). Provided as <i>Chem. Abstracts</i> , AN 124:146082, XP002115604.		
	EK	KELAREV, V.I., et al., <i>Khim. Geterotsikl. Soedin.</i> , no. 4, pages 514-517 (1995). Provided as <i>Chem. Abstracts</i> AN 124(1):8690 (January 1, 1996) XP002115603 and XP002115596.		
	EL	KOCH, A.E., et al., "Immunolocalization of endothelial and leukocyte adhesion molecules in human rheumatoid and osteoarthritic synovial tissues", <i>Lab. Invest.</i> , 64(3):313-320 (1991).		
	EM	LANKIN, V.Z., et al., <i>Dokl. Akad. Nauk.</i> , 351(4):554-557 (1996), <i>Chem. Abstracts</i> , AN 127(6):75973u (1997), XP002115597.		
	EN	MAMEDOV, Ch.I., et al., <i>Mater. Nauchn. Konf. Aspir. Akad. Nauk Az. SSR</i> , 1:127-131 (1980), <i>Chem. Abstracts</i> , AN 94:30290c (1981), XP002115600		
	EO	MAO, S.J., et al., "Antioxidant Activity of Probucol and Its Analogues in Hypercholesterolemic watanabe Rabbits," <i>Journal of Medicinal Chemistry</i> , 34(1):298-302 (January 1991).		
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	FA	MEDVEDEV, A.I., <i>et al.</i> , <i>Tezisy Dokl. Nauchn. Sess. Khim. Tekhnol. Org. Soedin. Sery Sernistykhh Neftei</i> , 13 th , pages 123-124 (1974), <i>Chem. Abstracts</i> , AN 86(1):5066m (p. 437, 01-03-1977). XP002115601, XP00215594.		
	FB	MILLER, G.J., "High density lipoproteins and atherosclerosis", <i>Ann. Rev. Med.</i> , 31:97-108 (1980).		
	FC	MORALES-DUCRET, J., <i>et al.</i> , "α4/β1 integrin (VLA-4) ligands in arthritis: vascular cell adhesion molecule-1 expression in synovium and on fibroblast-like synoviocytes", <i>J. Immunol.</i> , 149(4):1424-1431 (August 15, 1992).		
	FD	NEUWORTH, M.B., "Synthesis and hypocholesterolemic activity of alkylidenedithio bisphenols," <i>J. Med. Chem.</i> , 13(4) 722-725 (1970), <i>Chem. Abstracts</i> AN 73:445047 (1970), XP002124423.		
	FE	OHKAWARA, Y., <i>et al.</i> , "In situ expression of the cell adhesion molecules in bronchial tissues from asthmatics with air flow limitation: In vivo evidence of VCAM-1/VLA-4 interaction in selective eosinophil infiltration", <i>Am. J. Respir. Cell. Mol. Biol.</i> , 12:4-12 (1995).		
	FF	OROSZ, C.G., <i>et al.</i> , "Role of the endothelial adhesion molecule VCAM in murine cardiac allograft rejection", <i>Immunol. Lett.</i> , 32:7-12 (1992).		
	FG	PARTHASARATHY, S., <i>et al.</i> , "Probucol inhibits oxidative modification of low density lipoprotein", <i>J. Clin. Invest.</i> , 77:641-644 (1986).		
	FH	PASTOR, S.D., <i>et al.</i> , <i>Phosphorus and Sulfur</i> , 37(3-4):117-123 (1988), <i>Chemical Abstracts</i> , AN 110(23):212254a (June 5, 1989), XP0021156682.		
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	FK	RABB, H.A., <i>et al.</i> , "The role of the leukocyte adhesion molecules VLA-4, LFA-1 and Mac-1 in allergic airway responses in the rat", <i>Am. J. Respir. Crit. Care Med.</i> , 149:1186-1191 (1994).		
	FL	RAMASAMY, S., <i>et al.</i> , "Modulation of Expression of Endothelial Nitric Oxide Synthase by Nordihydroguaiaretic Acid, a Phenolic Antioxidant in Cultured Endothelial Cells," <i>Molecular Pharmacology</i> , 56(1):116-123 (April 5, 1999).		
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/647,766
				Filing Date	August 25, 2003
				First Named Inventor	Somers
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	7	of	7	Attorney Docket Number	04676.105082 ATH 109 CON 6

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	GA	SAWAYAMA, Y., <i>et al.</i> , "Effects of Probucol and Pravastatin on common carotid atherosclerosis in patients with asymptomatic hypercholesterolemia", <i>Journal of the American College of Cardiology</i> , 39(4):610-616 (2002)	
	GB	STEINBERG, D., <i>et al.</i> , "Modifications of low-density lipoprotein that increase its atherogenicity", <i>N. Eng. J. Med.</i> , 220(14):915-924 (1989).	
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	GD	WAGNER, Jr., <i>et al.</i> , <i>Chemical Abstracts</i> , AN 82:86189w (1975).	
	GE	YANG, X.-D., <i>et al.</i> , "Inhibition of insulinitis and prevention of diabetes in nonobese diabetic mice by blocking L-selectin and very late antigen 4 adhesion receptors", <i>Proc. Natl. Acad. Sci. U.S.A.</i> , 90:10494-10498 (1993).	

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